AMENDMENTS TO THE DRAWINGS:

The attached Replacement sheets of drawings including Figs. 1-3 replace the original sheets containing Figs. 1-3. Approval and entry are respectfully requested.

Attachment: two (2) Replacement sheets

REMARKS

With the cancellation of claim 17 and the addition of new claims 21 and 22, claims 11 to 16 and 18 to 22 are currently pending in the present application, since claims 1 to 10 were previously canceled. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration of the present application is respectfully requested.

Applicant notes with appreciation the acknowledgement of the claim for foreign priority and the indication that all copies of the certified copies of the priority documents have been received.

Applicant thanks the Examiner for considering the previously filed Information Disclosure Statement, PTO-1449 paper, and cited references.

The Examiner has objected to the drawings because of the lack of descriptive legends and/or reference numbers. Applicant has amended the drawings to obviate the present objections. The specification has been amended to conform to the drawings as amended herein.

Withdrawal of the objection to the drawings is therefore respectfully requested.

Claims 13 and 14 were rejected under 35 U.S.C. § 112, ¶ 2, as assertedly indefinite. With respect to claim 13, the claim has been amended herein without prejudice to obviate the present rejection.

With respect to claim 14, the Office Action asserts that the claim omits essential subject matter. Specifically, the Office Action asserts that the Specification, at page 4, lines 12 to 13, indicates that an absolute value of the predefined threshold value, rather than the threshold value itself, must be lowered. Further, the Office Action asserts that this must be the case because the application requires a deceleration to be used as the values of the claims. Applicant respectfully traverses these assertions.

As an initial matter, the Specification clearly only refers to the lowering of the absolute value in one example embodiment. The Specification also refers to other embodiments with respect to which the Specification does not indicate that the absolute value must be taken. For example, with respect to a repeat impact, discussed at page 4, lines 8 to 9, the Specification refers to a lowering of the predefined threshold value, and does not indicate that the lowered value must be an absolute value representation of the threshold value. Further, the originally filed claims themselves are also part of the specification. See M.P.E.P.

§ 2163(I)(A). Originally filed claims 4 and 14 provide for lowering the predefined threshold value. Thus, the Specification, as originally filed, did not indicate that in all embodiments, an absolute value representation of the threshold value must be lowered.

Moreover, the Specification does not indicate that only a deceleration can be used as the value of the impact or the threshold value. The Specification indicated that other values may be used, such as a velocity or a pressure. See, e.g., page 6, lines 10 to 15 of the Specification, originally filed claims 1 and 11.

Moreover, there is certainly the possibility of always providing the impact value as an absolute value of another underlying value, in which case obtaining an absolute value representation of the threshold value would not be required, even where deceleration is the impact value.

For all of the foregoing reasons, claim 14 does not omit essential subject matter, sets forth the subject matter which applicant regards as the invention, and satisfies the requirements of 35 U.S.C. § 112, ¶ 2.

Withdrawal of this 35 U.S.C. § 112, ¶ 2 rejection is therefore respectfully requested.

Applicant thanks the Examiner for indicating that claim 20 includes allowable subject. In this regard, the Examiner will note that claim 20 has been rewritten herein in independent form and to include the subject matter of its base claim. The Examiner will further note that claims 18 and 19 have been amended herein without prejudice to depend from claim 20. The Examiner will further note that claim 11, from which claims 12 to 16 depend, has been amended herein without prejudice to include subject matter analogous to that of claim 20. Accordingly, claims 11 to 16 and 18 to 20 are in condition for immediate allowance.

The remaining rejected claim has been canceled herein without prejudice, thereby obviating the remaining rejection.

New claims 21 and 22 have been added herein. Claims 21 and 22 do not add new matter and are supported by the application, including Specification, as originally filed. Claims 21 and 22 ultimately depend from claim 11 and are therefore allowable for at least the same reasons as claim 11.

Applicant reserves the right to pursue the subject matter of the claims as previously presented in a continuation patent application. Further, any disclaimer that may

have occurred during the prosecution of this application is expressly rescinded as regards any subsequently filed patent application.

Conclusion

In view of the foregoing, it is respectfully submitted that all of pending claims 11 to 16 and 18 to 22 are allowable. It is therefore respectfully requested that the objections and rejections be withdrawn. Prompt reconsideration and allowance of the present application are therefore respectfully requested.

Respectfully submitted,

Dated: February 4, 2009
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